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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/996,065	11/28/2001	Frank M. Zizzamia	098056/00120	1153
31013	7590	12/15/2009	EXAMINER	
KRAMER LEVIN NAFTALIS & FRANKEL LLP			RINES, ROBERT D	
INTELLECTUAL PROPERTY DEPARTMENT				
1177 AVENUE OF THE AMERICAS			ART UNIT	PAPER NUMBER
NEW YORK, NY 10036			3623	
			NOTIFICATION DATE	DELIVERY MODE
			12/15/2009	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

klpatent@kramerlevin.com



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
09996065	11/28/2001	ZIZZAMIA ET AL.	098056/00120

EXAMINER

R. David. Rines

ART UNIT	PAPER
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3623 20091206

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

see attachment

/R. David Rines/
Examiner, Art Unit 3623

Requirement for Information Under 37 C.F.R. § 1.105

1. Applicants and the assignee of this application are required under 37 C.F.R. §1.105 to provide the following information that the Examiner has determined is reasonably necessary to the examination of this application.
 2. The Examiner would like to know information about the origin of the equation beginning “Deviance of x...” illustrated in claims 6, 11, and 20. In particular, is the equation an equation known to those of ordinary skill in the art or was the equation invented by Applicants? Similarly, in previous correspondence Applicants have indicated that the described “slope” calculations are not considered to be standard calculations with respect to multivariate equations. Examiner would appreciate any additional information from Applicant regarding the distinctions of Applicants' slope calculations as it relates to a standard slope calculation. Further, Applicant should indicate any other elements of the equations/calculations presented in the claimed invention that Applicant considers to be invented by Applicants.
 3. In response to this requirement, please provide the title, citation and copy of each publication that is a source used for the equation. In response to this requirement, please provide any known document that utilizes this equation or uses a significant part of the equation. The fee and certification requirements of 37 C.F.R. §1.97 are waived for those documents submitted in reply to this requirement. This waiver extends only to those documents within the scope of this requirement under 37 C.F.R. §1.105 that are included in the applicant's first complete communication responding to this requirement. Any supplemental replies subsequent to the first communication responding to this requirement and any information disclosures beyond the scope

of this requirement under 37 C.F.R. §1.105 are subject to the fee and certification requirements of 37 C.F.R. §1.97.

4. In responding to those requirements that require copies of documents, where the document is a bound text or a single article over 50 pages, the requirement may be met by providing copies of those pages that provide the particular subject matter indicated in the requirement, or where such subject matter is not indicated, the subject matter found in applicant's disclosure.

5. The Applicant are reminded that the reply to this requirement must be made with candor and good faith under 37 C.F.R. §1.56. Where Applicants do not have or cannot readily obtain an item of required information, a statement that the item is unknown or cannot be readily obtained will be accepted as a complete response to the requirement for that item.

6. This requirement is subject to the provisions of 37 C.F.R. §§ 1.134, 1.135 and 1.136 and has a shortened statutory period of 2 months. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR §1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to R. David Rines whose telephone number is (571)272-5585. The examiner can normally be reached on 8:30am - 5:00pm Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Beth Boswell can be reached on 571-272-6737. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/R. David Rines/
Examiner, Art Unit 3623

/Beth V. Boswell/
Supervisory Patent Examiner, Art Unit 3623